

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-7035

September Term, 2016

1:13-cv-01215-TSC

1:14-cv-00857-TSC

Filed On: August 16, 2017

American Society for Testing and Materials,
et al.,

Appellees

v.

Public.Resource.Org, Inc.,

Appellant

Consolidated with 17-7039

BEFORE: Henderson, Brown, and Srinivasan, Circuit Judges

ORDER

Upon consideration of the court's order to show cause filed on June 16, 2017, and the response thereto; and the unopposed motion to establish briefing schedule, it is

ORDERED that the order to show cause be discharged. It is

FURTHER ORDERED that the question of this court's jurisdiction be referred to the merits panel to which this case is assigned. The parties are directed to address this question in their briefs rather than incorporate by reference the arguments presented in the response to the order to show cause. It is

FURTHER ORDERED that the unopposed motion to establish briefing schedule be granted. The following briefing schedule will apply in these consolidated cases:

Appellant's Brief
(not to exceed 13,000 words)

August 28, 2017

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-7035**September Term, 2016**

Amici Curiae Briefs in Support of Appellant or
in Support of Neither Party
(not to exceed 6,500 words)

September 25, 2017

Appellees' Brief(s)
(not to exceed a combined
total of 13,000 words)

October 25, 2017

Amici Curiae Briefs in Support of Appellees
(not to exceed 6,500 words)

November 22, 2017

Appellant's Reply Brief
(not to exceed 6,500 words)

December 15, 2017

Deferred Appendix

December 22, 2017

Final Briefs

January 5, 2018

The parties will be informed later of the date of oral argument and the composition of the merits panel. To enhance the clarity of their briefs, the parties are urged to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See D.C. Circuit Handbook of Practice and Procedures 41 (2017); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

Parties are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk's office on the date due. Filing by mail may delay the processing of the brief. Additionally, counsel are reminded that if filing by mail, they must use a class of mail that is at least as expeditious as first-class mail. See Fed. R. App. P. 25(a). All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Robert J. Cavello
Deputy Clerk